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10/803,683

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Mark E. Pecen

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EXAMINER

FERGUSON, KEITH

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,683

Applicant(s)

PECEN ET AL.

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 26-33 is/are rejected.
- 7) ☒ Claim(s) 10-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9,26-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Kalvade et al..

The claimed invention reads on Kalvade et al. as follows:

Regarding claims 1,7-9, Kalvade et al. discloses a method (fig.6) in a communication system for providing an access by a mobile station/coverage gateway (CWG) client (communication device) to a General Packet Radio Service (GPRS) first communication network through a Local Area Network (LAN) second communication network (P:0067 line 1 through P:0071 line 6), the communication device having a first identification (P:0067 lines 4-5 and P:0086 lines 1-6) and supporting a cellular core network

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signaling protocol of the first communication network (P:0076 lines 1-24 and P:0084 line 1 through P:0087 line 5), the method comprising: assigning a second identification to the communication device (P:0067 lines 4-5 and P:0086 lines 1-6); enabling the communication device through the second communication network to access a Coverage Wireless Gateway (CWG) (alternative network controller) (P:0068 lines through P:0071 line 6 and P:0084 line 1 through P:0086 lines 1-6); establishing communication between the communication device and the first communication network through the alternative network controller (P:0068 line 1 through P:0071 line 6); and associating the first identification of the communication device with the second identification of the communication device (P:0086 lines 1-6)

Regarding claims 2 and 28, Kalvade et al. discloses providing GPRS services directed to the first identification of the communication device to the second identification of the communication device (P:0086 lines 1-6)

Regarding claims 3 and 27, Kalvade et al. discloses assigning the second identification in response to a request from the communication device to access the second communication network, and authorizing the communication device to access the second communication network (P:0067 line 1 through P:0071 line 6).

Regarding claims 4 and 29, Kalvade et al. discloses receiving identification information of the second communication network by the CGW client at the alternative network controller; and associating the identification information of the second

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communication network with the first identification of the communication device (P:0084 lines 1-8).

Regarding claims 5 and 30, Kalvade et al. discloses the second communication network includes an Internet Protocol address of the second communication network (P:0084 lines 1-8).

Regarding claims 6 and 31, Kalvade et al. discloses converting a protocol of the second communication network into the cellular core network signaling protocol of the first communication network (P:0084 lines 1-8); and converting the cellular core network signaling protocol of the first communication network into the protocol of the second communication network (P:0084 lines 1-8).

Regarding claims 26, 32 and 33, Kalvade et al. discloses a communication system (fig. 2) configured to provide an alternate communication path (abstract and P:0013 line 1 through P:0015 line 4), the communication system comprising: a General Packet Radio Service (GPRS) (first communication network) configured to support a first cellular core network signaling protocol (P:0076 lines 1-24 and P:0084 line 1 through P:0087 line 5); a Coverage Wireless Gateway (CWG) (alternative network controller) (P:0068 lines through P:0071 line 6 and P:0084 line 1 through P:0086 lines 1-6) coupled to the first communication network (P:0068 lines through P:0071 line 6 and P:0084 line 1 through P:0086 lines 1-6), the alternative network controller configured to communicate with the first communication network using the first cellular core network signaling protocol (P:0068 lines through P:0071 line 6 and P:0084 line 1 through P:0086 lines 1-6); a Local Area Network (LAN) second communication network (P:0067 line 1 through P:0071 line 6) coupled to the alternative communication network (P:0067 line 1 through P:0071 line 6), the second communication network configured to support a second communication network protocol and to communicate with the alternative network controller using the second communication network protocol (802.11 protocol) (P:0067 line 1 through P:0071 line 6); and a mobile station/coverage gateway (CWG) client (communication device) (fig. 2 number 10) coupled to the second communication network (P:0067 line 1 through P:0071 line 6), the communication device having a first identification and configured to support the first cellular core network signaling protocol (P:0076 lines 1-24 and P:0084 line 1 through P:0087 line 5) and the second communication network protocol and to receive a second identification from the second communication

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network (P:0076 lines 1-24 and P:0084 line 1 through P:0087 line 5), wherein the alternative network controller is further configured to associate the first identification of the communication device with the second identification of the communication device (P:0068 lines through P:0071 line 6 and P:0084 line 1 through P:0086 lines 1-6) and to establish communication between the communication device and the first communication network through the alternative network controller (P:0068 lines through P:0071 line 6 and P:0084 line 1 through P:0086 lines 1-6).

Allowable Subject Matter

4. Claims 10-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 10, the prior art of record fails to teach or suggest, alone or in combination further comprising: selecting a preferred alternative network controller from the plurality of alternative network controllers based upon a predetermined condition by the default alternative network controller; establishing communication between the communication device and a preferred communication network operably coupled to the preferred alternative network controller through the preferred alternative network controller; and providing services directed to the first identification of the communication device to the second identification of the communication device.

Regarding claim 18, the prior art of record fails to teach or suggest, alone or in combination further comprising: directing the communication device to access a preferred communication network from a plurality of communication networks operably coupled to the alternative communication controller based upon a predetermined condition; establishing communication between the communication device and the preferred communication network through the alternative network controller; and providing services directed to the first identification of the

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communication device to the second identification of the communication device.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lewis et al. (U.S. Pub. 2006/0018283) discloses a wireless router system that rout caller service to plurality of networks. Annic (U.S. Pub. 2006/0013157) discloses a system for managing access of a communication network to a mobile terminal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Keith Ferguson
Art Unit 2617
May 23, 2006

KEITH FERGUSON
PRIMARY EXAMINER
